

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

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Kevin H. Sharp

UNITED STATES OF AMERICA )  
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v. ) No. 3:11-cr-00012  
 ) JUDGE SHARP  
DEMARIO WINSTON, ET AL. )

**MOTION FOR PERMISSION TO PARTICIPATE BY TELEPHONE**

Comes the Defendant, Demario Winston, through undersigned counsel, and hereby moves the Court for an Order allowing his learned counsel to participate in the hearing scheduled on September 15, 2014 at 2:30pm by telephone. In support of this Motion the Defendant would state and show as follows:

1. On September 10, 2014, the Court entered an Order scheduling a pretrial conference for Monday, September 15, 2014 at 2:30pm. (Docket Entry No. 2311).
2. Counsel for Mr. Winston, Jeffrey O'Toole, has a previously scheduled matter which requires him to be in Wichita, Kansas on September 15, 2014. However, if the court would allow; Mr. O'Toole can participate in the conference by telephone. Mr. Winston's local counsel Jeffery Frensley is available to participate in the conference in person.

WHEREFORE, for all the foregoing reasons, the Defendant would respectfully request that his learned counsel, Jeffrey O'Toole be allowed to participate in the pretrial conference in this, matter scheduled for September 15, 2014 at 2:30pm by telephone.